

Verdell Jackson

BUSINESS & LABOR

EXHIBIT NO. 56

DATE 3-21-11

BILL NO. HB 464

From: Gina Nelson [gsnelson@cyberport.net]
Sent: Saturday, March 19, 2011 12:46 PM
To: Joe Balyeat; Don Steinbeisser; Jeff Essman; Eric Moore; Joseph Tropila; Verdell Jackson; Sharon Stewart-Peregoy; Tom Facey
Subject: A Kalispell Ob/gyn doc on current legislative matters

Hello Senators,

I read with interest the Montana Medical Association email about the bills on the docket.

I support the passage of all of these bills. All docs, and obs in particular are under fire right now. Believe it or not, many of us are checking to check due to rising malpractice, far fewer people with insurance and shameful levels of reimbursement from insurance companies and government payors. If I didn't have family and personal roots here I would move.

Please support these bills to help with the situation and encourage your colleagues to do the same.

Regarding HB 464, it is worded like this:

A physician
3 as defined in 27-6-103 who is board-eligible or board-certified in any pediatric or geriatric subspecialty may be
4 found liable for damages only upon proof by clear and convincing evidence. Clear and convincing evidence
5 means evidence in which there is no serious or substantial doubt about the correctness of the conclusions drawn
6 from the evidence. It is more than a preponderance of evidence but less than beyond a reasonable doubt.

It seems to me that all physicians should be protected at this level, not just geriatrics and pediatrics. Is there any time to change this bill to broaden it?

Thank you for your time.

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